

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

TIMOTHY S. MAY,

Plaintiff,

-vs-

EASTMAN KODAK COMPANY,

Defendant.

**STIPULATION
DISCONTINUING
ACTION AND ORDER**

Civil Action No.
04-CV-6366CJS(P)

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for plaintiff Timothy S. May and defendant Eastman Kodak Company, that

WHEREAS no party to this Stipulation is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued on the merits and with prejudice, without costs to either party as against the other. This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: August 2, 2005

Dated: Sept. 23, 2005

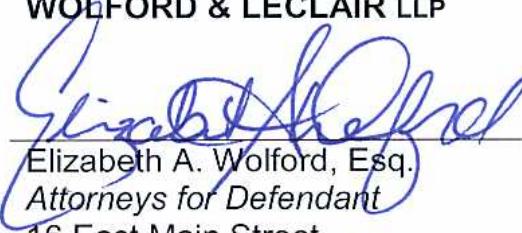
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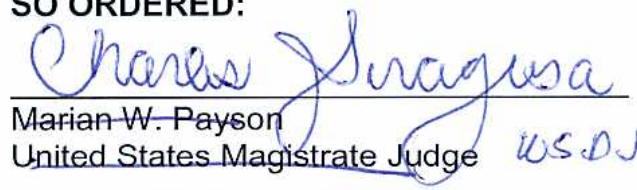

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SO ORDERED:


Marian W. Payson
United States Magistrate Judge
W.S.D.J.

Dated: Sept. 28, 2005